

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

HAROLD HOLMES and SHIRLEY HOLMES,

Plaintiffs,

v.

JAMES WOODY; KITTITAS COUNTY; and
THE KITTITAS COUNTY SPECIAL
RESPONSE TEAM,

Defendants.

No. CV-06-3100-FVS

ORDER GRANTING MOTION FOR
SUMMARY JUDGMENT

THIS MATTER comes before the Court on the Motion for Summary Judgment filed by Kittitas County and James Woody, Ct. Rec. 31. The Plaintiffs are represented by Timothy D. Ford. Kittitas County, the Kittitas County Special Response Team, and James Woody are represented by Mark R. Johnsen.

This is a Section 1983 action brought by the Plaintiffs, Harold and Shirley Holmes, based on the allegedly unreasonable search of their home and seizure of their persons on June 28, 2005. The Plaintiffs having accepted an Offer of Judgement, this Court has previously entered Judgment in favor of the Plaintiffs against Michael Walcker, Bill DeHaven, Eric Twaits, Troy Giddings, Mike Dingle, Javin James, and Chan St. Clair. James Woody and Kittitas County now move for summary judgment on the grounds that there is no evidence suggesting that they were negligent or otherwise behaved

1 inappropriately. The Plaintiffs and the individual Defendants who
2 have previously been dismissed do not oppose the motion. (Ct. Rec.
3 35; Ct. Rec. 39.) Accordingly,

4 **IT IS HEREBY ORDERED:**

5 1. The Motion for Summary Judgment filed by Kittitas County and
6 James Woody, **Ct. Rec. 31**, is **GRANTED**.

7 2. All claims and cross-claims asserted against Kittitas County
8 and James Woody herein are dismissed with prejudice.

9 **IT IS SO ORDERED.** The District Court Executive is hereby
10 directed to enter this order and furnish copies to counsel.

11 **DATED** this 2nd day of January, 2008.

12
13 s/ Fred Van Sickle
14 Fred Van Sickle
United States District Judge